

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Len C. Kretchman et al  
For : SEALED CRUSTLESS SANDWICH  
Serial No. : 09/005,949  
Filing Date : March 9, 2001  
Patent No. : 6,004,596  
Gr. Art Unit : 1761  
Examiner : George C. Yeung  
Our Docket : SMA-12271 RX

**DECLARATION OF BRIAN E. TURUNG**

Asst. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Brian E. Turung, do hereby declare and say that:

1. I am an attorney at Vickers, Daniels & Young.
2. For purposes of the above-identified reexamination, I prepared several types of sandwiches and used the 3½ inch "Cut-N-Seal" sold by The Pampered Chef to attempt to form a crustless and sealed sandwich.
3. The "Cut-N-Seal" is illustrated in Exhibit A. The "Cut-N-Seal" includes a cylindrical housing base having a dome-shaped top. Four openings are located in the dome-shaped top, one central opening and three openings symmetrically spaced about the central opening. The "Cut-N-

Seal" also includes a finger plunger having a partially spherical cap and a cylindrical rod connected to the inner bottom surface of the cap and extending through the central opening of the dome-shaped top of the housing base and threaded to a crimper located within the housing base. A spring is positioned between the inner bottom surface of the top and the top surface of the dome-shaped top which upwardly biases the plunger. The crimper includes a circular base having a diameter that is less than the inner diameter of the cylindrical housing base. On the bottom surface of the circular base is a number of nubs. A triangular support is secured to the top surface of the circular base at three symmetrically positioned regions. The top of the triangular support is threaded to the cylindrical rod of the finger plunger.

3. One of the sandwiches I made was a "Butter & Jelly" sandwich which is illustrated by the eight (8) pictures in Exhibit B. For this sandwich, I applied butter to both slices of bread. Upon information and belief, most butter and jelly sandwiches only have one side of one slice of bread buttered. As illustrated in the first and second pictures of Exhibit B, one side of each of the two slices of white bread was fully covered with Country Crock butter. After the butter layers were applied, one of the buttered surfaces of bread was substantially covered with Smucker's grape jelly. The thickness of the butter layer on each slice of bread was about 1/16 inch. The thickness of the grape jelly layer on one of the slices of bread was about 3/16 inch. After the grape jelly was spread on one of the slices of bread, the other slice of bread was inserted over the grape jelly layer such that the grape jelly was positioned between a butter layer on each slice of bread. The "Cut-N-Seal" was then positioned on the top surface of the upper bread layer, and was thereafter forced downwardly by applying a downward force on the top of the plunger cap. After the plunger cap of the "Cut-N-Seal" was depressed, the "Cut-N-Seal" was vertically lifted from the sandwich. As illustrated in the

fifth picture of Exhibit B, the "Cut-N-Seal" did not fully cut through the bottom slice of bread. In addition, the "Cut-N-Seal" caused the upper bread layer to rupture in several locations, thereby allowing the grape jelly to partially extrude through such ruptures. The ruptures in the upper bread layer were in part caused by the triangular support which is secured to the top surface of the circular base of the plunger depressing the top portion of the upper bread layer. The depressions caused by the triangular support are illustrated in pictures 5-8 of Exhibit B. The contact of the triangular support with the upper layer during the cutting and crimping of the sandwich at least partially caused the cavity of the sandwich which contained the butter and grape jelly to become restricted in size, thereby resulting in the grape jelly being at least partially forced through the upper bread layer.

4. Another sandwich I made was a "Peanut Butter & Jelly" sandwich which is illustrated by the six (6) pictures in Exhibit C. For this sandwich, I applied peanut butter to both slices of bread. Upon information and belief, most peanut butter and jelly sandwiches only have one side of one slice of bread layered with peanut butter. As illustrated in the first picture of Exhibit C, one side of each of the two slices of white bread was fully covered with creamy peanut butter by Harris Teater. After the peanut butter layers were applied, one of the surfaces of bread containing a layer of peanut butter was substantially covered with Smucker's grape jelly. The thickness of the peanut butter layer on each slice of bread was about  $\frac{3}{32}$  inch. The thickness of the grape jelly layer on one of the slices of bread was about  $\frac{3}{16}$  inch. After the grape jelly was spread on one of the slices of bread, the other slice of bread was inserted over the grape jelly layer such that the grape jelly was positioned between a peanut butter layer on each slice of bread. The "Cut-N-Seal" was then positioned on the top surface of the upper bread layer, and was thereafter forced downwardly by applying a downward force on the top of the plunger cap. After the plunger cap of the "Cut-N-Seal"

was depressed, the "Cut-N-Seal" was vertically lifted from the sandwich. As illustrated in the fourth picture of Exhibit C, the "Cut-N-Seal" did not fully cut through the bottom slice of bread. In addition, the "Cut-N-Seal" caused the upper bread layer to rupture in several locations, thereby allowing the peanut butter and grape jelly to partially extrude through such ruptures. The ruptures in the upper bread layer were in part caused by the triangular support which is secured to the top surface of the circular base of the plunger depressing the top portion of the upper bread layer. The depressions caused by the triangular support are illustrated in pictures 4-6 of Exhibit C. The contact of the triangular support with the upper layer during the cutting and crimping of the sandwich at least partially caused the cavity of the sandwich which contained the peanut butter and grape jelly to become restricted in size, thereby resulting in the peanut butter and grape jelly being at least partially forced through the upper bread layer. The rupturing problems of this sandwich were similar to the "Butter & Jelly" sandwich illustrated in Exhibit B discussed above.

5. Another sandwich I made was a "Standard Peanut Butter & Jelly" sandwich which is illustrated by the eight (8) pictures in Exhibit D. For this sandwich, I applied peanut butter to one side of one slice of bread. Upon information and belief, most peanut butter and jelly sandwiches are made in this manner. As illustrated in the first picture of Exhibit D, one side of one slice of white bread was fully covered with creamy peanut butter by Harris Teater. After the peanut butter layer was applied, the surface of bread containing the layer of peanut butter was substantially covered with Smucker's grape jelly. The thickness of the peanut butter layer on the slice of bread was about  $\frac{3}{32}$  inch. The thickness of the grape jelly layer on the slice of bread was about  $\frac{3}{16}$  inch. After the grape jelly was spread on the peanut butter layer, the other slice of bread was inserted over the grape jelly layer such that the grape jelly was positioned between a peanut butter layer and the bottom

surface of the upper slice of bread. The "Cut-N-Seal" was then positioned on the top surface of the upper bread layer, and thereafter a downward force was applied by grasping the sides of the cylindrical housing base and forcing downwardly the housing base. The housing base was partially rotated to try to ensure that the bottom bread layer was fully cut before crimping. After the housing base was forced downwardly and partially rotated, a downward force was applied on the top of the plunger cap to crimp the bread together. After the plunger cap of the "Cut-N-Seal" was depressed, the "Cut-N-Seal" was vertically lifted from the sandwich. This method of cutting and crimping the sandwich does not follow the instructions provided by The Pampered Chef for using the "Cut-N-Seal" that existed prior to the filing of the above-identified patent. However, subsequent to the filing and issuance of the above-identified patent, The Pampered Chef revised the instructions for the "Cut-N-Seal" to closely follow the procedure used to make the sandwich in Exhibit D. As illustrated in the third picture of Exhibit D, the "Cut-N-Seal" substantially fully cut through the bottom slice of bread. The "Cut-N-Seal" caused the upper bread layer to slightly rupture in several locations, thereby allowing the grape jelly to extrude through such ruptures. As with the other sandwiches, the ruptures in the upper bread layer were in part caused by the triangular support which is secured to the top surface of the circular base of the plunger depressing the top portion of the upper bread layer. The depressions caused by the triangular support are best illustrated in pictures 4-6 of Exhibit D. The contact of the triangular support with the upper layer during the cutting and crimping of the sandwich at least partially caused the cavity of the sandwich which contained the peanut butter and grape jelly to become restricted in size, thereby resulting in the grape jelly being at least partially forced through the upper bread layer. The rupturing problems of this sandwich were similar to the

"Butter & Jelly" sandwich and the "Peanut Butter & Jelly" sandwich illustrated in Exhibits B and C discussed above.

6. After several sandwiches were prepared, I obtained a box of Smucker's Uncrustables as illustrated in Exhibit E. The sandwiches were made from peanut butter and strawberry jam. The box included four (4) individually sealed sandwiches. None of the four (4) sandwiches had any ruptures in the bread layers as caused by the "Cut-N-Seal" device. One of the sandwiches was cut open. As illustrated in pictures 5 and 6 of Exhibit E, the sandwich included two layers of peanut butter encapsulating a layer of strawberry jam. Each of the layers of peanut butter appeared to be the same thickness and appeared to have a greater thickness than the strawberry jam layer. The edges of the layers of peanut butter terminated at a non-filling region where the two bread layers met. The width of this non-filling region was about equal in thickness to each of the slices of bread. The non-filling region then terminated at a crimped region of the bread layers. The thickness and width of the crimped region was less than the thickness of each of the slices of bread. The crimped region then terminated at a thin non-crimped region that defined the outer perimeter of the sandwich. This product was structurally the same as in Figures 3 and 4 of the above-identified patent.

7. After viewing the Smucker's Uncrustables sandwich and using the teaching of the above-identified patent, I attempted to duplicate such product by using the "Cut-N-Seal", and using the method taught in the above-identified patent. This sandwich was a modified version of the "Peanut Butter & Jelly" sandwich illustrated in Exhibit C. The modified version of the sandwich is illustrated by the eight (8) pictures in Exhibit F. One side of each of the two slices of white bread was partially covered with creamy peanut butter by Harris Teater. As illustrated in pictures 1 and 2 of Exhibit F, the peanut butter layer on each bread slice was positioned in the center portion of the

bread slice such that a wide outer perimeter of both bread slices did not include peanut butter. After the peanut butter layers were applied, one of the surfaces of bread containing a layer of peanut butter was partially covered with Smucker's grape jelly. As illustrated in picture 2 of Exhibit F, the grape jelly was carefully positioned in the center portion of the peanut butter layer such that an outer perimeter of the peanut butter layer did not include grape jelly. The thickness of the peanut butter layer on each slice of bread was about 1/16 inch. The thickness of the grape jelly layer on one of the slices of bread was about 1/8 inch. After the jelly was spread on one of the slices of bread, the other slice of bread was inserted over the grape jelly layer such that the grape jelly was positioned between a peanut butter layer on each slice of bread in an attempt to center the grape jelly in both layers of peanut butter. The "Cut-N-Seal" was then positioned on the top surface of the upper bread layer, and was thereafter forced downwardly by grasping the sides of the cylindrical housing base. As the housing base was being forced downwardly, the housing base was partially rotated to try to ensure that the bottom bread layer was fully cut before any crimping of the bread. After the housing base was forced downwardly and partially rotated, a downward force was applied on the top of the plunger cap to crimp the bread together. After the plunger cap of the "Cut-N-Seal" was depressed, the "Cut-N-Seal" was vertically lifted from the sandwich. As illustrated in the third and fourth pictures of Exhibit F, the "Cut-N-Seal" substantially fully cut through the bottom slice of bread. The "Cut-N-Seal" caused the upper bread layer to slightly rupture in several locations, thereby exposing the peanut butter layer; however, the grape jelly did not extrude through the peanut butter layer and bread layer. As with the other sandwiches, the ruptures in the upper bread layer were in part caused by the triangular support which is secured to the top surface of the circular base of the plunger

depressing the top portion of the upper bread layer. The depressions caused by the triangular support are illustrated in pictures 3-8 of Exhibit F.

8. I also attempted to make another sandwich similar to the Smucker's Uncrustables by using the "Cut-N-Seal", and using the method taught in the above-identified patent, which sandwich only included one layer of peanut butter. This sandwich was a modified version of the "Standard Peanut Butter & Jelly" sandwich illustrated in Exhibit D. The modified version of the sandwich is illustrated by the eight (8) pictures in Exhibit G. One side of one slice of white bread was partially covered with creamy peanut butter by Harris Teater. As illustrated in the first picture of Exhibit G, the peanut butter layer on the bread slice was positioned in the center portion of the bread slice such that an outer perimeter of the bread slice did not include peanut butter. After the peanut butter layer was applied, the surface of bread containing the layer of peanut butter was partially covered with Smucker's grape jelly. As illustrated in picture 2 of Exhibit G, the grape jelly was positioned in the center portion of the peanut butter layer such that an outer perimeter of the peanut butter layer did not include grape jelly. The thickness of the peanut butter layer on the slice of bread was about 1/16 inch. The thickness of the grape jelly layer on the slice of bread was about 1/8 inch. After the jelly was spread on the slice of bread, the other slice of bread was inserted over the grape jelly layer such that the grape jelly was positioned between the peanut butter layer on one slice of bread and the bottom surface of the upper slice of bread. In this arrangement, the grape jelly was not encapsulated between the two layers of peanut butter. The "Cut-N-Seal" was then positioned on the top surface of the upper bread layer, and was thereafter forced downwardly by grasping the sides of the cylindrical housing base. As the housing base was being forced downwardly, the housing base was partially rotated to try to ensure that the bottom bread layer was fully cut before crimping. After the



housing base was forced downwardly and partially rotated, a downward force was applied on the top of the plunger cap to crimp the bread together. After the plunger cap of the "Cut-N-Seal" was depressed, the "Cut-N-Seal" was vertically lifted from the sandwich. As illustrated in the fourth picture of Exhibit G, the "Cut-N-Seal" substantially fully cut through the bottom slice of bread. The "Cut-N-Seal" caused the upper bread layer to slightly rupture in several locations, thereby exposing the grape jelly, thus allowing the grape jelly to partially extrude through such ruptures. As with the other sandwiches, the ruptures in the upper bread layer were in part caused by the triangular support which is secured to the top surface of the circular base of the plunger depressing the top portion of the upper bread layer. The depressions caused by the triangular support are illustrated in pictures 4-7 of Exhibit G.

9. Exhibit H is a recent advertisement by The Pampered Chef for the "Cut-N-Seal." The new advertisement sets forth four (4) steps to form a pocket sandwich by use of the "Cut-N-Seal." Step one instructs the user to form an indentation or cavity in the bottom layer of the bread with the palm of the hand and then place one tablespoon of filling in the indentation. The concept of forming an indentation in the bottom bread layer for receiving a filling was first disclosed by Applicant in the above-identified patent. Step three instructs the user to grasp the base of the "Cut-N-Seal", not the plunger, and then press down firmly and twist to cut through the bread. After the bread has been cut, step three instructs the user to press down the plunger to crimp and seal the filling. Prior instructions by The Pampered Chef instructed the user to depress the plunger to both cut and crimp the pastry as in Napolillo 2,765,755 (Exhibit J). This device is constructed like the "Cut-N-Seal" with the center triangle frame. The concept of separately cutting and crimping the sandwich was first disclosed by Applicant in the above-identified patent. The recent modifications by The

Pampered Chef to the "Cut-N-Seal" advertisement reflect The Pampered Chef's copying of Smucker's unique and novel method of making Smucker's Uncrustables sandwiches that are the subject of the above-identified patent.

10. The sandwiches illustrated in Exhibits D, F and G were formed using step three of The Pampered Chef advertisement illustrated in Exhibit H. One final sandwich was made which controlled the amount of grape jelly used in the sandwich. The Pampered Chef advertisement indicates that one tablespoon of filling should be used. In the sandwich illustrated in the seven (7) pictures of Exhibit I, one tablespoon of grape jelly was measured as illustrated in the second picture. Only one slice of bread was partially covered with peanut butter as illustrated in the first picture of Exhibit I. The sandwich was essentially made in the same manner as the sandwich illustrated in Exhibit G. As with the other sandwiches, the upper layer of bread ruptured to partially allow the grape jelly to extrude through the rupture.

11. Although I tried to duplicate the Smucker's Uncrustables sandwich using "Cut-N-Seal" by The Pampered Chef, as also shown in Napolillo 2,765,755, none of the sandwiches I made included the structure of the Smucker's Uncrustables sandwich illustrated in Exhibit E. As stated above, all of the sandwiches I made included several ruptures in the upper bread layer. None of the Smucker's Uncrustables sandwiches included any ruptures. I also could not form a sandwich using the "Cut-N-Seal" wherein the edge of the layer of peanut butter terminated at a non-filling region where the two bread layers met, which non-filling region had a width that was about equal to thickness of each of the slices of bread. As illustrated in Exhibits G and I, there is no non-filling region. The peanut butter and jelly extend to and are part of the crimped region of the sandwich. Indeed, the several regions of the Smucker's Uncrustables sandwich that encircle the peanut butter

and jam filling are not formed the same, nor even exist in sandwiches formed using the "Cut-N-Seal."

I hereby declare that all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true and further state that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and may jeopardize the validity of this document.

Date: 1/30/02

By: 

BRIAN E. TURUNG

Reg. No. 35,394

VICKERS, DANIELS & YOUNG

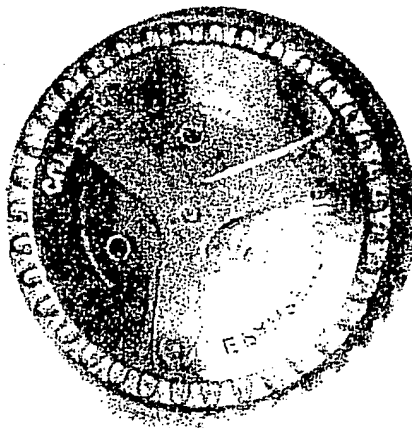
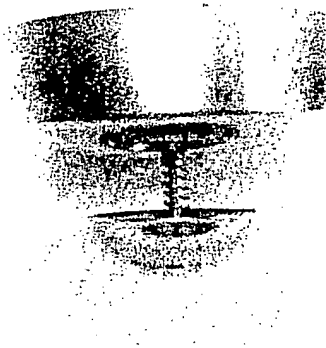
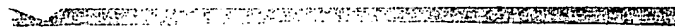
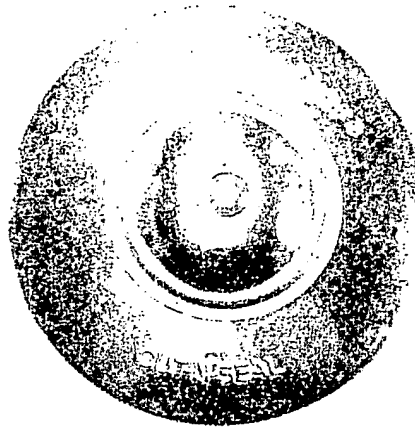
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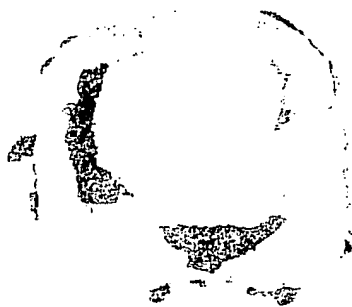
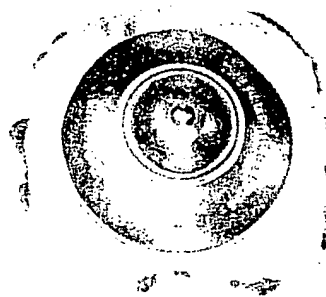
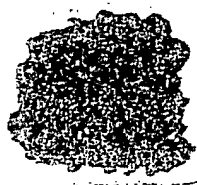
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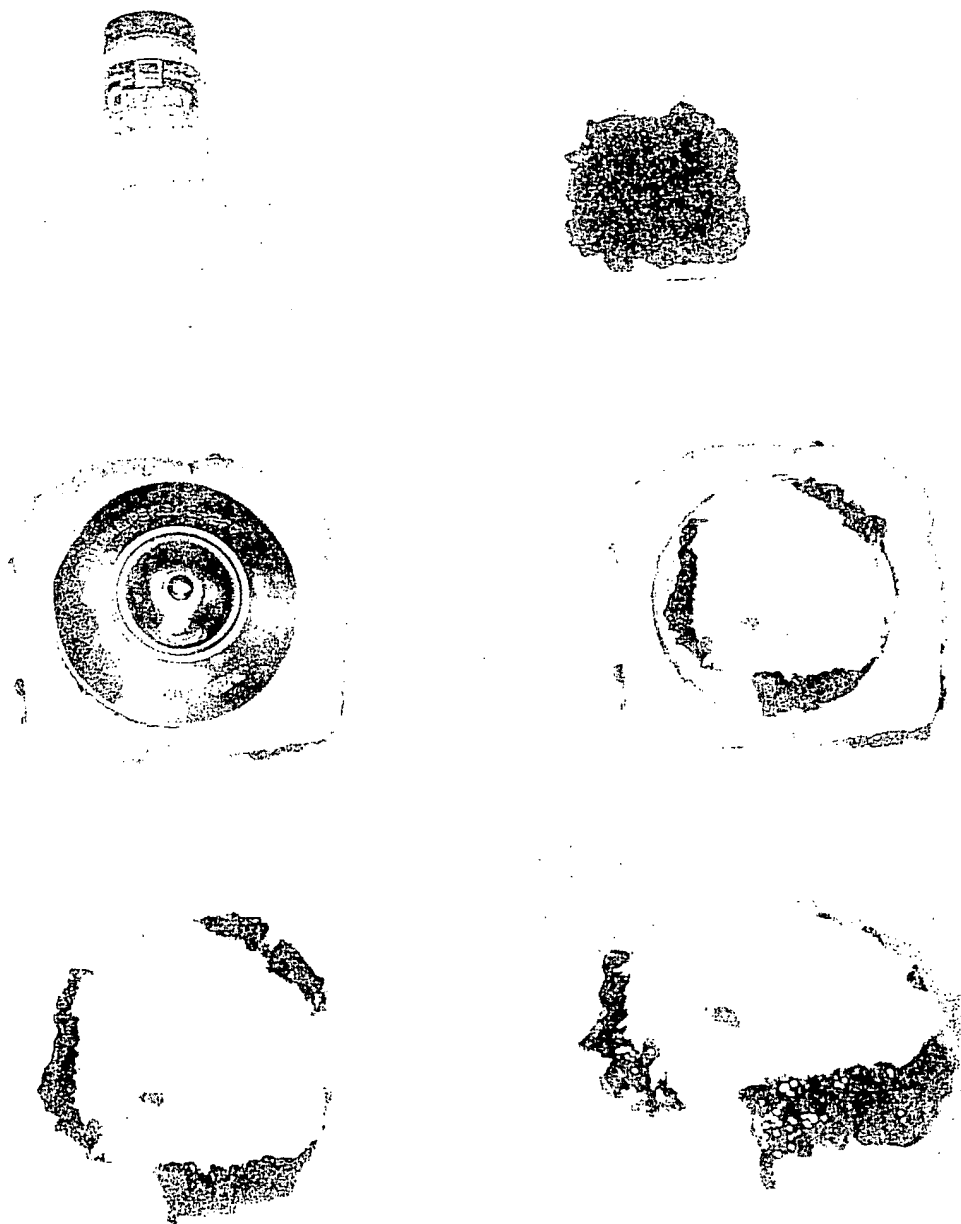
THE PAMPERED CHEF "CUT-N-SEAL"



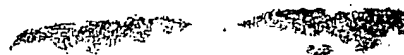
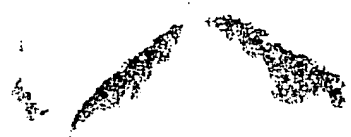
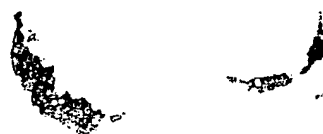
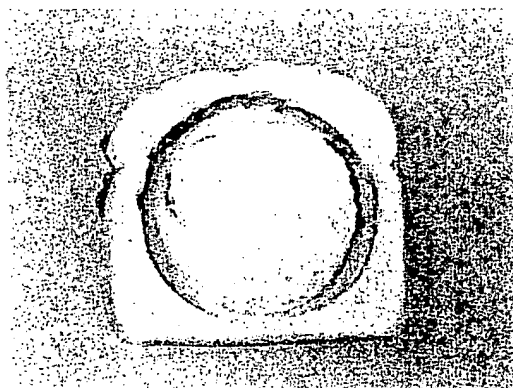
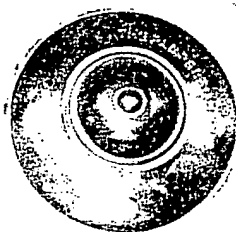
BUTTER & JELLY SANDWICH



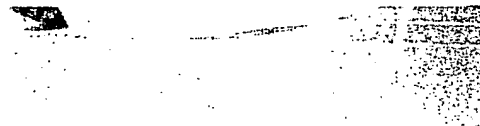
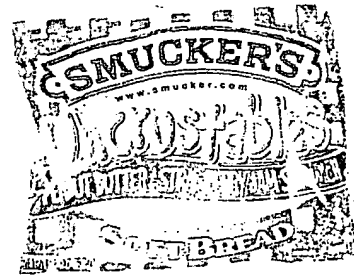
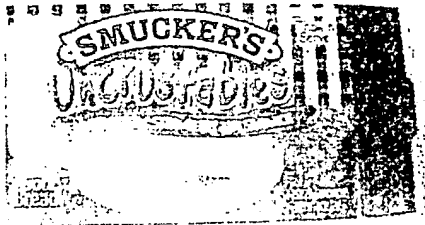
PEANUT BUTTER & JELLY SANDWICH



STANDARD PEANUT BUTTER & JELLY SANDWICH

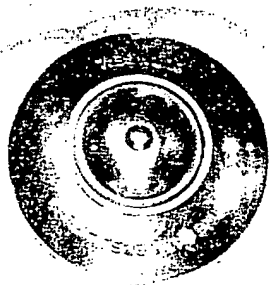


# SMUCKER'S UNCRUSTABLES

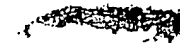
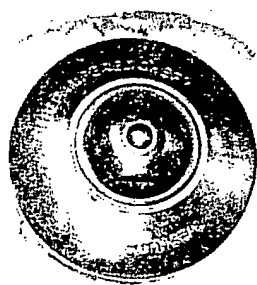




MODIFIED PEANUT BUTTER & JELLY SANDWICH



MODIFIED STANDARD PEANUT BUTTER & JELLY SANDWICH



**THE PAMPERED CHEF®**  
 THE KITCHEN STORE THAT COMES TO YOUR DOOR®  
 350 South Rohlwing Rd. Addison, IL 60101-3079

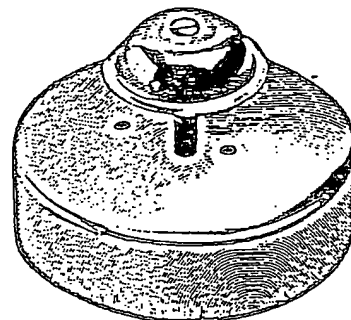
3 1/2"

**Cut-N-Seal**

Made in Taiwan

#1195

USE AND CARE/RECIPE CARDS



## 3 1/2" Cut-N-Seal

Hot or cold pocket sandwiches, appetizers, pastries and tarts are made fun and easy with the 3 1/2" Cut-N-Seal. Designed exclusively for The Pampered Chef®, this high-quality tool cuts, seals and crimps the filling of your choice between two layers of bread, pastry or other types of dough. Great activity to share with children.

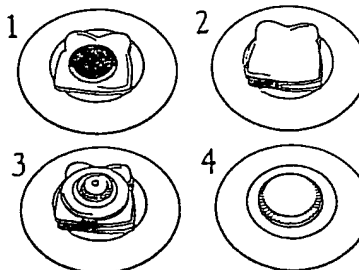
## USE AND CARE

### Prior to First Use

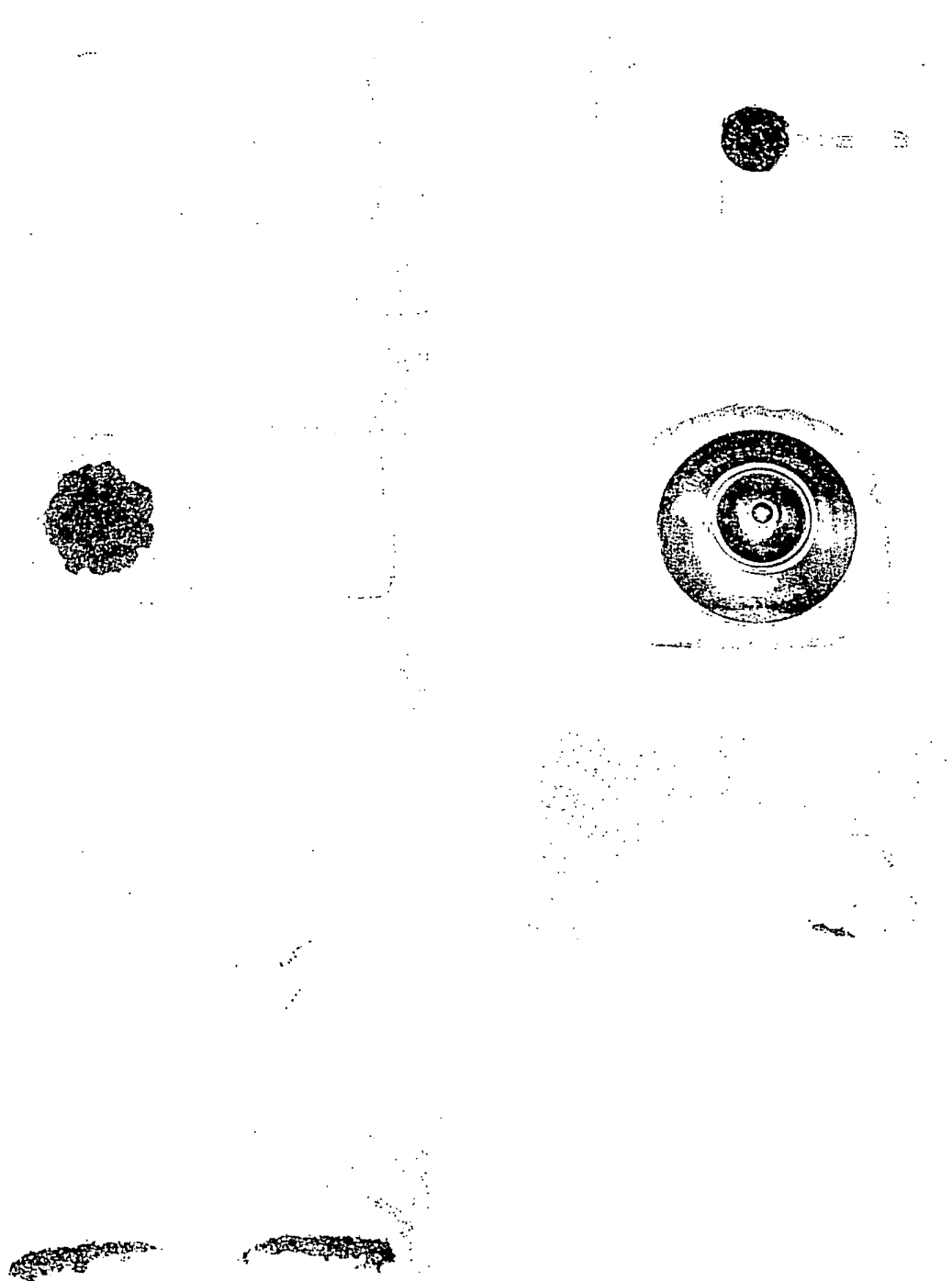
- Wash Cut-N-Seal following "How to Clean" instructions.

### How to Use

- To make round tarts (*see diagram*), use two pieces of bread/pastry and approximately 1 tablespoon of filling.
  1. Place one piece of bread on a flat surface. With palm of hand, make small indentation in the center of the bread. Place approximately 1 tablespoon filling in the center of the bread.
  2. Top filling with second piece of bread.
  3. Place Cut-N-Seal over bread. Grasp base of unit (not plunger) with fingertips; press down firmly and twist to cut through bread. Without removing unit from bread, press down plunger firmly to crimp and seal filling.
  4. Lift and remove unit from bread.



MODIFIED STANDARD PEANUT BUTTER & JELLY SANDWICH

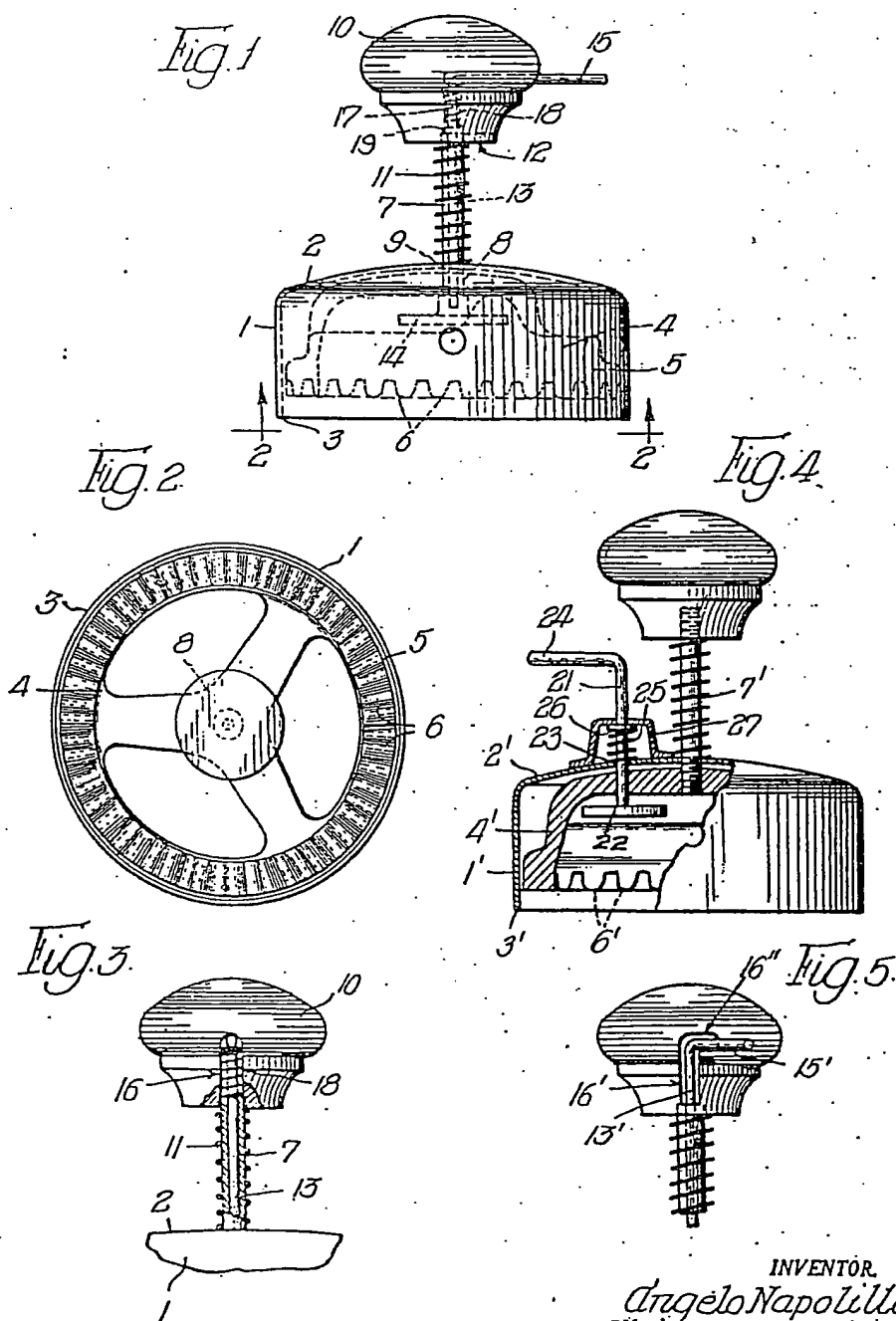


Oct. 9, 1956

A. NAPOLILLO  
CULINARY MOLD

2,765,755

Filed July 12, 1954



INVENTOR.  
Angelo Napolillo,  
BY  
Brown, Jackson, Bitter & Dixon  
attys.

# United States Patent Office

2,765,755

Patented Oct. 9, 1956

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2,765,755

## CULINARY MOLD

Angelo Napolillo, Evergreen Park, Ill.

Application July 12, 1954, Serial No. 442,853

2 Claims. (Cl. 107—47)

This invention relates, in general, to a culinary mold, and more particularly to a culinary mold for cutting edibles such as ravioli, pies, cookie dough, biscuits and material of similar character to a desired configuration and for impressing a desired design on the molded article.

The present invention may be characterized as an improvement on the devices disclosed in my prior Letters Patent No. 2,106,057, granted January 18, 1938, for "Cooking Tools," and in my prior Design Patent No. 114,900, granted May 23, 1939, for "Culinary Mold."

One of the main objects of the present invention is to provide an improved mold comprising an outer body having a peripheral cutting edge; a mold member movable in said outer body and provided with a molding face having a configuration thereon to be imparted to the molded article; and ejector means for ejecting the cut and molded article from the outer body and the mold member.

Another object is to provide a mold of the character described wherein, by depression of a finger piece, the mold member is depressed into cooperation with the material and the cutting edge simultaneously depressed to cut the article to the desired peripheral outline, and wherein there is separately operable means for ejecting the cut and molded article from the outer body and the mold member.

Another object is to provide a mold of the character described wherein the ejector has a stem extending through a tubular stem for the mold member, and more particularly wherein the ejector stem has a laterally turned outer end for engagement by the hand of the operator and operable in a slot in a finger piece on the stem for the mold member.

Another object is to provide a mold of the character described wherein the ejector stem is spaced laterally from the axis of the stem for the mold member.

Another object is to provide a mold of the character described which will be portable and manually operable; also highly efficient in use and economical in manufacture.

Further objects and advantages of the invention will appear from the following detailed description taken in connection with the accompanying drawing, in which:

Figure 1 is a side elevational view of one form of culinary mold embodying the present invention;

Figure 2 is a bottom plan view of the mold taken substantially on the line 2—2 of Figure 1;

Figure 3 is a fragmentary elevational view, partially broken away and in section, looking at the handle or finger piece for the mold member at substantially right angles and from the right as the device is shown in Figure 1;

Figure 4 is a side elevational view, partially broken away and in section, of another form of mold embodying the present invention; and

Figure 5 is a view similar to Figure 3 showing another

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Referring now to the drawing, the embodiment of the invention illustrated in Figures 1-3 comprises an outer cylindrical body 1 formed, for example, of relatively thin metal. This outer body 1 has an end wall 2 at one end and its opposite end is open and provided with a peripheral cutting edge 3.

A mold member 4 formed, for example, of light weight metal, such as aluminum or the like, has a cylindrical rim 5 which fits loosely for movement in the outer mold body 1. The ring 5 has a molding face presented toward the open end of the body 1 on which there is a configuration 6 in the form, for example, of radial scallop forming fingers for imparting a scalloped or other desired configuration to the molded article.

A first stem 7 of tubular form is fixedly attached at its inner end to the radially armed integral hub 8 of the body 1, for example, by threaded engagement therewith, and extends outwardly for rectilinear movement through an opening 9 in the end wall 2. A finger piece 10 mounted on the outer end of the stem 7 is effective when depressed to depress the mold member 4 into cooperation with the material to be molded to impress upon the molded article the scallops or other configuration on the molding face. A first coiled spring 11 interposed to act between the end wall 2 and an abutment 12 formed on the stem 7 by the inner end of the finger piece 10 is effective upon depression of the finger piece 10 to depress the cutting edge 3 into and through the material to cut the article to the desired peripheral outline. Upon release of the finger piece 10 the spring 11 is effective to move the mold member to a retracted position within the outer body 1 and to retain same in such retracted position.

A second stem 13 has an ejector disk 14 suitably fixed on its inner end and extends outwardly through the tubular stem 7. The stem 13 has a laterally turned outer end 15 for engagement by the hand of the operator, and which is operable in a slot 16 in the finger piece 10. The finger piece 10 is recessed at 17 to provide space for a second coiled spring 18 which surrounds the stem 13 and is interposed to act, for example, between the inner end of the laterally turned end 15 of the stem 13 and a shoulder 19 formed, for example, at the inner end of the recess 17. The spring 18 may, if desired, be sufficiently lighter or weaker than the spring 11 to permit depression of the stem 13 for ejecting the article without appreciably or substantially depressing the mold member 4.

If desired, the ejector spring 18 may be omitted and the ejector actuated manually to projected and retracted positions with means such as a lateral notch at the outer end of the slot 16 into which the lateral extension 15 of the stem 13 may be turned to retain the ejector stem 13 in retracted position.

In operation, the user places the mold in position with the cutting edge 3 directed downwardly upon the material from which the article is to be cut. The finger piece 10 is then depressed, thereby depressing the mold member 4 to impress upon the article the configuration on the molding face and simultaneously to depress the cutting edge 3 into and through the material to cut the article to the desired peripheral configuration. Upon completion of the molding and cutting of the article, the finger piece 10 is released and the first spring 11 moves the mold member 4 to retracted position within the outer body 1 and retains same in such position.

Then by depressing the second finger piece 15 the ejector disk 14 is depressed and ejects the molded and cut article from the outer body 1 and the mold member 4.

The lateral notch 16" at the outer end of the slot

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16 of Figure 3, acts to hold the stem 13' which corresponds to the stem 13 of Figure 3 in retracted position where the spring 18 of Figure 3 is omitted and the ejector is manually retracted. The laterally directed outer end 15' of the stem 13' is merely turned into and out of the lateral notch 16'' to hold the ejector in released position and to release the same.

The mold shown in Figure 4 is similar to the mold shown in Figure 3, except that the second stem 21 with its ejector disk 22 are spaced laterally from the stem 7' which may be of solid form since the stem 21 does not extend therethrough. The stem 21 extends outwardly for rectilinear movement through a second opening 23 in the end wall 2', and has a laterally turned portion 24 forming a finger piece for manually depressing the stem 21 and ejector disk 22 to eject the article from the outer body 1' and mold member 4'. A second spring 25 interposed to act between the end wall 2' and a pin or abutment 26 on the stem 21 is effective when the ejector stem 21 is released to move the ejector to retracted position and maintain same in said position. The spring 25 is confined in an inverted generally U-shaped bracket 27 attached to the end wall 2'. The stem 21 has rectilinear movement through an opening in the outer wall of the bracket 27.

The embodiments of the invention shown in the drawing are for illustrative purposes only, and it is to be expressly understood that said drawing and accompanying specification are not to be construed as a definition of the limits or scope of the invention, reference being had to the appended claims for that purpose.

I claim:

1. A culinary mold for cutting and molding articles from suitable material comprising, in combination, an outer body having an end wall at one end and open at its opposite end with a peripheral cutting edge at said open end, a mold member having movement in said outer body and provided with a molding face having a configuration thereon to be imparted to the molded article, a first stem attached at its inner end to said mold

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member and extending outwardly for rectilinear movement through an opening in said end wall, a finger piece having a recess therein on said first stem and effective when depressed to depress said mold member into cooperation with the material to impress upon the article the configuration on said molding face, a first spring embracing said first stem and interposed between said end wall and an abutment on the outer end of said first stem, said spring being effective upon depression of said finger piece to depress said cutting edge into and through the material to cut the article to the desired peripheral outline and effective upon release of said finger piece to move said mold member to retracted position within said outer body, a second stem extending outwardly through said first stem and having at its inner end an ejector and extending outwardly for rectilinear movement through said end wall, and a second spring positioned in the recess in said finger piece and effective when said second stem is released to maintain said ejector in retracted position within said mold member, said second stem being effective when depressed to depress said ejector to eject the cut and molded article from said outer body and said mold member.

2. A culinary mold according to claim 1 wherein said first stem is of tubular form and said second stem extends outwardly through said tubular first stem and has a laterally turned outer end for engagement by the hand of the operator and operable in a slot in the finger piece on said first stem.

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